

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KHALID WISDOM,

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
16-CV-1728 (DRH)(AYS)

-against-

THE COUNTY OF NASSAU, DET. CHARLES
PENTOLA, DET. RAYMOND BUTTERWORTH,
P.O. VICTOR GLADITZ, P.O. KERRI ANN
HOOVERT, P.O. JORGE DIAZ, SGT. VINCENT
PAPA, P.O. CHARLES VOLPE, P.O. TANYA
TUCKER, P.O. JOHN MONELL, SGT. KENNETH
CATALANI, DET. ROY MCCOMB, DET. G.
UMBARILA, P.O. ERIK DIAZ, LT. ADAM
SCHEINER, AND "JOHN/JANE DOES 1-10"
(NAMES BEING FICTITIOUS AND PRESENTLY
UNKNOWN)

Defendants.
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Presently before the Court is the Report and Recommendation of Magistrate Judge Anne Y. Shields, dated April 20, 2020, recommending that (1) Defendants' motion for summary judgment be granted with respect to Plaintiff's claims for failure to intervene, municipal liability, intentional infliction of emotional distress, negligent training and violation of the New York State Constitution but otherwise denied; and (2) Plaintiff's motion for summary judgment be denied. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the April 20, 2020 Report and Recommendation of Judge Shields as if set forth herein. Accordingly,

IT IS HEREBY ORDERED THAT (1) defendants' motion for summary judgment is granted with respect to Plaintiff's claims for failure to intervene, municipal liability, intentional infliction of emotional distress, negligent training and violation of the New York State Constitution but otherwise denied; and (2) Plaintiff's motion for summary judgment is denied.

Dated: Central Islip, New York
May 21, 2020

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge